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HYDERABAD, FRIDAY, AUGUST 3, 2018.

**NOTIFICATIONS RELATING TO THE ADMINISTRATION OF
PANCHAYAT RAJ**

—X—

TELANGANA STATE ELECTION COMMISSION

4th ORDINARY ELECTIONS TO THE GRAM PANCHAYATS, 2013 - **JAYASHANKAR BHUPALAPALLY AND SIDDIPET DISTRICT** - RENDERING OF FINAL ACCOUNTS OF ELECTION EXPENSES - DISQUALIFICATION OF (03) DEFEATED CANDIDATES OF MPTCs OF JAYASHANKAR BHUPALAPALLY DISTRICT AND DISQUALIFICATION OF (03) DEFEATED CANDIDATES OF MPTCs/ZPTCs OF SIDDIPET DISTRICT, WHO FAILED TO LODGE FINAL ACCOUNTS OF ELECTION EXPENSES.

DISQUALIFICATION ORDER FOR FAILURE TO LODGE FINAL ACCOUNTS OF ELECTION EXPENSES IN RESPECT OF SMT. EDULAPOORAM VINODHA, DEFEATED CANDIDATE FOR THE OFFICE OF THE MEMBER, MPTC GOVARDHANAGIRI, HUSNABAD MANDAL IN SIDDIPET DISTRICT (ERSTWHILE KARIMNAGAR DISTRICT) DURING THE 4TH ORDINARY ELECTIONS HELD IN 2014.

No.739/TSEC-L(SDP)/2015-MPTC(1).-WHEREAS, the Telangana Panchayat Raj Act 1994 and also 2018, mandates strict election expenditure monitoring regimen aimed at accountability and transparency. Election Expenditure ceilings are fixed so as to provide a level playing ground for all the contestants. Submission of election expenditure returns, their publication to elicit objections if any from other contestants and also people in general, serves as a barrier against abuse of money power in election process.

AND WHEREAS, the fourth ordinary elections to MPTCs/ZPTCs of Erstwhile Karimnagar District were conducted in the month of April, 2014 and the results were declared on 13-05-2014;

AND WHEREAS, the subject of Elections and Election Expenditure Accounts is regulated by Telangana Panchayat Raj Act, 1994 upto 18.04.2018 and thereafter the TPR Act, 2018. However the provisions pertaining to Election Expenditure are similar under both the Acts. Further Sub-Section (3) of Section 295 (Repealing and Saving) of TPR Act, 2018 enables the sustenance of the Orders, notices etc. issued under TPR Act, 1994 as being valid under the TPR Act, 2018.

AND WHEREAS, under Section 230-A of Telangana Panchayat Raj Act, 1994 and 237 of Telangana Panchayat Raj Act, 2018, every candidate at any election held under this Act shall, either by himself, or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election, between the date on which the candidate concerned has been nominated and the date of declaration of the result of the election, both dates inclusive and the account of election expenses shall contain such particulars, as may by order, specified by the State Election Commission;

[1]

AND WHEREAS, the State Election Commission in its Order No.168/SEC-B1/2011, dated:18.05.2011 prescribed the procedure and formats in which the accounts of election expenditure shall be maintained by the candidates.

AND WHEREAS, under Section 230-B of Telangana Panchayat Raj Act, 1994 and Section 238 of Telangana Panchayat Raj Act, 2018, and Rule 100(2) of TPR (Conduct of Elections) Rules, 2006 and Rule 103(2) of TPR (conduct of elections) Rules, 2018, every contesting candidate at an election shall, within forty five days from the date of declaration of result of the election, lodge with the competent Authority (Collector in case of 1994 Act and MPDO in case of 2018 Act), an account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent, under Section 230-A of TPR Act, 1994 and Section 237 of TPR Act, 2018.

AND WHEREAS, the period of 45 days from the date of declaration of results of ordinary elections to MPTCs/ZPTCS of Erstwhile Karimnagar District expired on 26.06.2014;

AND WHEREAS, the Chief Executive Officer, ZPP, Karimnagar has sent report with the approval of the competent Authority, Collector & District Election Authority, Erstwhile Karimnagar District vide letter Lr.No.D2/400/2014, dt:30.10.2015 furnishing a list of defeated candidates of Member, ZPTCs and MPTCs of Erstwhile Karimnagar District, who have failed to lodge final accounts of election expenses within the stipulated time of 45 days from the date of declaration of the results. One amongst the defaulters is **Smt. Edulapooram Vinodha**, defeated candidate for the office of the Member, **MPTC Govardhanagiri, Husnabad Mandal in Siddipet District (Erstwhile Karimnagar District)**;

AND WHEREAS, under rule 103 (4) of TPR (Conduct of Election) Rules, 2006, the State Election Commission considered the same and under rule 103 (5) of the said rules, the State Election Commission issued show cause notice vide No.739/TSEC-L(PR)/2015 (266), dt.07.10.2016 to **Smt. Edulapooram Vinodha**, defeated candidate for the office of the Member, **MPTC Govardhanagiri, Husnabad Mandal in Siddipet District (Erstwhile Karimnagar District)** who failed to lodge final accounts of election expenses within the stipulated time and in the manner required under the Act and the Rules calling upon her to show cause within 20 days from the date of receipt of the notice as to why she should not be disqualified for a period of 3 years to contest any election to be held for any office under the provisions of Section 19-B of Telangana Panchayat Raj Act, 1994 for her failure;

AND WHEREAS, the Collector & District Election Authority, Karimnagar District vide Lr.No.H4/3954/2015, dt:16.03.2017 reported that, the notice has been served on 20.01.2017 to **Smt. Edulapooram Vinodha**, defeated candidate for the office of the Member, **MPTC Govardhanagiri, Husnabad Mandal in Siddipet District (Erstwhile Karimnagar District)** and reply received on 20.01.2017. But the content of the reply has not been furnished in the report of C&DEA. A further report was called from the Collector & DEA, Karimnagar vide Lr.No. 739/TSEC-L(SDP)/2015, dt.27.07.2017. The Collector & DEA, Siddipet furnished the contents of the reply submitted by the candidate through his Lr.No.D2/313/2018, dt:30.04.2018 wherein, it is stated that, **Smt. Edulapooram Vinodha**, defeated candidate for the office of the Member, **MPTC Govardhanagiri, Husnabad Mandal in Siddipet District (Erstwhile Karimnagar District)** has submitted election expenditure accounts within 20 days from the date of receipt of the show cause notice dated 07.10.2016 stating that due to ill health he could not submit the same within the stipulated period of 45 days from the date of declaration of results. But not furnished any documentary evidences to substantiate his claim of ill health. In the absence of any documentary evidence of ill health the explanation is treated as a baseless excuse and an afterthought in response to the Show Cause Notice dated 07.10.2016.

AND THUS, the State Election Commission is satisfied that **Smt. Edulapooram Vinodha**, defeated candidate for the office of the Member, **MPTC Govardhanagiri, Husnabad Mandal in Siddipet District (Erstwhile Karimnagar District)** has failed to lodge the account of her expenses as required by law and has no good reason or justification for the said failure.

NOW THEREFORE, in pursuance of Section 23 of Telangana Panchayat Raj Act, 2018 read with Section 19-B of Telangana Panchayat Raj Act, 1994 and Rule 106(7) of TPR (conduct of elections) Rules, 2018 read with Rule 103 (8) of TPR (Conduct of Election) Rules, 2006, the State Election Commission hereby, declares that **Smt. Edulapooram Vinodha**, defeated candidate for the office of the Member, **MPTC Govardhanagiri, Husnabad Mandal in Siddipet District (Erstwhile Karimnagar District)** to be ineligible for a period of 3 years from the date of issue of this order to contest any election for any office under the provisions of Telangana Panchayat Raj Act, 2018.

DISQUALIFICATION ORDER FOR FAILURE TO LODGE FINAL ACCOUNTS OF ELECTION EXPENSES IN RESPECT OF SRI. NAGIREDDI VIJAYPAL REDDY, DEFEATED CANDIDATE FOR THE OFFICE OF THE MEMBER, ZPTC HUSNABAD OF ERSTWHILE KARIMNAGAR DISTRICT, NOW FALLS IN SIDDIPET DISTRICT DURING THE 4TH ORDINARY ELECTIONS HELD IN 2014.

No.739/TSEC-L(SDP)/2015-ZPTC(01).-WHEREAS, the Telangana Panchayat Raj Act 1994 and also 2018, mandates strict election expenditure monitoring regimen aimed at accountability and transparency. Election

Expenditure ceilings are fixed so as to provide a level playing ground for all the contestants. Submission of election expenditure returns, their publication to elicit objections if any from other contestants and also people in general, serves as a barrier against abuse of money power in election process.

AND WHEREAS, the fourth ordinary elections to MPTCs/ZPTCs of Erstwhile Karimnagar District were conducted in the month of April, 2014 and the results were declared on 13-05-2014;

AND WHEREAS, the subject of Elections and Election Expenditure Accounts is regulated by Telangana Panchayat Raj Act, 1994 upto 18.04.2018 and thereafter the TPR Act, 2018. However the provisions pertaining to Election Expenditure are similar under both the Acts. Further Sub-Section (3) of Section 295 (Repealing and Saving) of TPR Act, 2018 enables the sustenance of the Orders, notices etc. issued under TPR Act, 1994 as being valid under the TPR Act, 2018.

AND WHEREAS, under Section 230-A of Telangana Panchayat Raj Act, 1994 and 237 of Telangana Panchayat Raj Act, 2018, every candidate at any election held under this Act shall, either by himself, or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election, between the date on which the candidate concerned has been nominated and the date of declaration of the result of the election, both dates inclusive and the account of election expenses shall contain such particulars, as may by order, specified by the State Election Commission;

AND WHEREAS, the State Election Commission in its Order No.168/SEC-B1/2011, dated:18.05.2011 prescribed the procedure and formats in which the accounts of election expenditure shall be maintained by the candidates.

AND WHEREAS, under Section 230-B of Telangana Panchayat Raj Act, 1994 and Section 238 of Telangana Panchayat Raj Act, 2018, and Rule 100(2) of TPR (Conduct of Elections) Rules, 2006 and Rule 103(2) of TPR (conduct of elections) Rules, 2018, every contesting candidate at an election shall, within forty five days from the date of declaration of result of the election, lodge with the competent Authority (Collector in case of 1994 Act and MPDO in case of 2018 Act), an account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent, under Section 230-A of TPR Act, 1994 and Section 237 of TPR Act, 2018.

AND WHEREAS, the period of 45 days from the date of declaration of results of ordinary elections to MPTCs/ZPTCS of Erstwhile Karimnagar District expired on 26.06.2014;

AND WHEREAS, the Chief Executive Officer, ZPP, Karimnagar has sent report with the approval of the competent Authority, Collector & District Election Authority, Erstwhile Karimnagar District vide letter Lr.No.D2/400/2014, dt:30.10.2015 furnishing a list of defeated candidates of Member, ZPTCs and MPTCs of Erstwhile Karimnagar District, who have failed to lodge final accounts of election expenses within the stipulated time of 45 days from the date of declaration of the results. One amongst the defaulters is **Sri. Nagireddi Vijaypal Reddy**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District**;

AND WHEREAS, under rule 103 (4) of TPR (Conduct of Election) Rules, 2006, the State Election Commission considered the same and under rule 103 (5) of the said rules, the State Election Commission issued show cause notice vide No.739/TSEC-L(PR)/2015 (06), dt.07.10.2016 to **Sri. Nagireddi Vijaypal Reddy**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District** who failed to lodge final accounts of election expenses within the stipulated time and in the manner required under the Act and the Rules calling upon him to show cause within 20 days from the date of receipt of the notice as to why he should not be disqualified for a period of 3 years to contest any election to be held for any office under the provisions of Section 19-B of Telangana Panchayat Raj Act, 1994 for his failure;

AND WHEREAS, the Collector & District Election Authority, Karimnagar District vide Lr.No.H4/3954/2015, dt:16.03.2017 reported that, the notice has been served on 20.01.2017 to **Sri. Nagireddi Vijaypal Reddy**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District** and reply received on 25.01.2017. But the content of the reply has not been furnished in the report of C&DEA. A further report was called from the Collector & DEA, Karimnagar vide Lr.No. 739/TSEC-L(SDP)/2015, dt.27.07.2017. The Collector & DEA, Siddipet furnished the contents of the reply submitted by the candidate through his Lr.No.D2/313/2018, dt:30.04.2018 wherein, it is stated that, **Sri. Nagireddi Vijaypal Reddy**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District** has submitted election expenditure accounts within 20 days from the date of receipt of the show cause notice dated 07.10.2016 stating that due to ill health he could not submit the same within the stipulated period of 45 days

from the date of declaration of results. But not furnished any documentary evidences to substantiate his claim of ill health. In the absence of any documentary evidence of ill health the explanation is treated as a baseless excuse and an afterthought in response to the Show Cause Notice dated 07.10.2016.

AND THUS, the State Election Commission is satisfied that **Sri. Nagireddi Vijaypal Reddy**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District** has failed to lodge the account of his expenses as required by law and has no good reason or justification for the said failure.

NOW THEREFORE, in pursuance of Section 23 of Telangana Panchayat Raj Act, 2018 read with Section 19-B of Telangana Panchayat Raj Act, 1994 and Rule 106(7) of TPR (conduct of elections) Rules, 2018 read with Rule 103 (8) of TPR (Conduct of Election) Rules, 2006, the State Election Commission hereby, declares that **Sri. Nagireddi Vijaypal Reddy**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District** to be ineligible for a period of 3 years from the date of issue of this order to contest any election for any office under the provisions of Telangana Panchayat Raj Act, 2018.

DISQUALIFICATION ORDER FOR FAILURE TO LODGE FINAL ACCOUNTS OF ELECTION EXPENSES IN RESPECT OF SRI. UPPARAPALLI SAMPATH, DEFEATED CANDIDATE FOR THE OFFICE OF THE MEMBER, ZPTC HUSNABAD OF ERSTWHILE KARIMNAGAR DISTRICT, NOW FALLS IN SIDDIPET DISTRICT DURING THE 4TH ORDINARY ELECTIONS HELD IN 2014.

No.739/TSEC-L(SDP)/2015-ZPTC(02).-WHEREAS, the Telangana Panchayat Raj Act 1994 and also 2018, mandates strict election expenditure monitoring regimen aimed at accountability and transparency. Election Expenditure ceilings are fixed so as to provide a level playing ground for all the contestants. Submission of election expenditure returns, their publication to elicit objections if any from other contestants and also people in general, serves as a barrier against abuse of money power in election process.

AND WHEREAS, the fourth ordinary elections to MPTCs/ZPTCs of Erstwhile Karimnagar District were conducted in the month of April, 2014 and the results were declared on 13-05-2014;

AND WHEREAS, the subject of Elections and Election Expenditure Accounts is regulated by Telangana Panchayat Raj Act, 1994 upto 18.04.2018 and thereafter the TPR Act, 2018. However the provisions pertaining to Election Expenditure are similar under both the Acts. Further Sub-Section (3) of Section 295 (Repealing and Saving) of TPR Act, 2018 enables the sustenance of the Orders, notices etc. issued under TPR Act, 1994 as being valid under the TPR Act, 2018.

AND WHEREAS, under Section 230-A of Telangana Panchayat Raj Act, 1994 and 237 of Telangana Panchayat Raj Act, 2018, every candidate at any election held under this Act shall, either by himself, or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election, between the date on which the candidate concerned has been nominated and the date of declaration of the result of the election, both dates inclusive and the account of election expenses shall contain such particulars, as may by order, specified by the State Election Commission;

AND WHEREAS, the State Election Commission in its Order No.168/SEC-B1/2011, dated:18.05.2011 prescribed the procedure and formats in which the accounts of election expenditure shall be maintained by the candidates.

AND WHEREAS, under Section 230-B of Telangana Panchayat Raj Act, 1994 and Section 238 of Telangana Panchayat Raj Act, 2018, and Rule 100(2) of TPR (Conduct of Elections) Rules, 2006 and Rule 103(2) of TPR (conduct of elections) Rules, 2018, every contesting candidate at an election shall, within forty five days from the date of declaration of result of the election, lodge with the competent Authority (Collector in case of 1994 Act and MPDO in case of 2018 Act), an account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent, under Section 230-A of TPR Act, 1994 and Section 237 of TPR Act, 2018.

AND WHEREAS, the period of 45 days from the date of declaration of results of ordinary elections to MPTCs/ZPTCS of Erstwhile Karimnagar District expired on 26.06.2014;

AND WHEREAS, the Chief Executive Officer, ZPP, Karimnagar has sent report with the approval of the competent Authority, Collector & District Election Authority, Erstwhile Karimnagar District vide letter Lr.No.D2/400/2014, dt:30.10.2015 furnishing a list of defeated candidates of Member, ZPTCs and MPTCs of Erstwhile Karimnagar District, who have failed to lodge final accounts of election expenses within the stipulated time of 45 days from the date of declaration of the results. One amongst the defaulters is **Sri. Upparapalli Sampath**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District**;

AND WHEREAS, under rule 103 (4) of TPR (Conduct of Election) Rules, 2006, the State Election Commission considered the same and under rule 103 (5) of the said rules, the State Election Commission issued show cause notice vide No.739/TSEC-L(PR)/2015 (05), dt.07.10.2016 to **Sri. Upparapalli Sampath**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District** who failed to lodge final accounts of election expenses within the stipulated time and in the manner required under the Act and the Rules calling upon him to show cause within 20 days from the date of receipt of the notice as to why he should not be disqualified for a period of 3 years to contest any election to be held for any office under the provisions of Section 19-B of Telangana Panchayat Raj Act, 1994 for his failure;

AND WHEREAS, the Collector & District Election Authority, Karimnagar District vide Lr.No.H4/3954/2015, dt:16.03.2017 reported that, the notice has been served on 07.01.2017 to **Sri. Upparapalli Sampath**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District** and reply received on 01.02.2017. But the content of the reply has not been furnished in the report of C&DEA. A further report was called from the Collector & DEA, Karimnagar vide Lr.No. 739/TSEC-L(SDP)/2015, dt.27.07.2017. The Collector & DEA, Siddipet furnished the contents of the reply submitted by the candidate through his Lr.No.D2/313/2018, dt:30.04.2018 wherein, it is stated that, **Sri. Upparapalli Sampath**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District** has submitted election expenditure accounts within 20 days from the date of receipt of the show cause notice dated 07.10.2016 stating that due to ill health he could not submit the same within the stipulated period of 45 days from the date of declaration of results. But not furnished any documentary evidences to substantiate his claim of ill health. In the absence of any documentary evidence of ill health the explanation is treated as a baseless excuse and an afterthought in response to the Show Cause Notice dated 07.10.2016

AND THUS, the State Election Commission is satisfied that **Sri. Upparapalli Sampath**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District** has failed to lodge the account of his expenses as required by law and has no good reason or justification for the said failure.

NOW THEREFORE, in pursuance of Section 23 of Telangana Panchayat Raj Act, 2018 read with Section 19-B of Telangana Panchayat Raj Act, 1994 and Rule 106(7) of TPR (conduct of elections) Rules, 2018 read with Rule 103 (8) of TPR (Conduct of Election) Rules, 2006, the State Election Commission hereby, declares that **Sri. Upparapalli Sampath**, defeated candidate for the office of the Member, **ZPTC Husnabad of Erstwhile Karimnagar District, now falls in Siddipet District** to be ineligible for a period of 3 years from the date of issue of this order to contest any election for any office under the provisions of Telangana Panchayat Raj Act, 2018.

(BY ORDER AND IN THE NAME OF THE STATE ELECTION COMMISSIONER)

Hyderabad,
01-08-2018.

M. ASHOK KUMAR,
Secretary.

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